

PRESENT: Vadney, Chairman; Bayard, Secretary; Brothers, Selectmen's Rep.; Touhey; Lapham, Alternate; LaBrecque, Town Planner; Harvey, Clerk

Bayard moved, Brothers seconded, THAT WE APPROVE THE MINUTES OF SEPTEMBER 28, 2010. Voted unanimously.

1. **ELLY SHARPS FOR WILLIAM L. FULLER** – Proposed Home Occupation for a Beauty Parlor in Unit #2 of a residential duplex, Tax Map U06, Lot 100, located at 16 Lake Street in the Central Business District.

LaBrecque – This is a home occupation approximately 300 sq. ft. in one of the duplex units on Lake Street. Application, site plan and abutters list are on file. Filing fees have been paid. A waiver is requested for environmental information due to there being no modifications to the site, It is recommended the waiver be granted and the application for a home occupation be accepted as complete for purposes of proceeding to public hearing this evening.

Touhey moved, Bayard seconded, THAT WE ACCEPT THE APPLICATION FOR A HOME OCCUPATION FOR ELLY SHARPS FOR PURPOSES OF PROCEEDING TO PUBLIC HEARING THIS EVENING. Voted unanimously.

PUBLIC HEARINGS

1. **PUBLIC HEARING ON THE PROPOSED 2011-2020 CAPITAL IMPROVEMENTS PROGRAM (CIP).**

Bill Bayard, Chairman of the CIP Committee, briefly reviewed the report. We had another year of tight budgets so we are proposing to do approximately what we did last year in terms of dollar amounts. We count the debt service and capital expenditures as the amounts we're spending through the CIP Program. **Fire Department** recommendation was no additional ETF funding at this time. **Capital Equipment** – DPW - This is the 3rd year they didn't request any additional money for vehicles. They have a number of vehicles that will need to be replaced shortly and the first one will probably come up next year. We recommended this year to set up an ETF and put \$60,000 in it so the impact the following year won't be as much. **Roads** – We are also recommending \$60,000, which will probably go through the operating budget in addition to the work they're doing now. They have been limiting the amount of stuff they've been doing lately. Asphalt has gone up in price due to all the construction associated with Federal grants. We have had a high road quality index that they keep and it is going down and we suggested we put an additional \$60,000 in it to keep it from getting down so far that it starts impacting our roads significantly. **Conservation** – No additional funds are requested for the Open Space ETF. They do receive some funds during the year. **Parks & Recreation Department** – No additional funds recommended for this year. Last year there was some money for Childs Park. **Water & Sewer Department** – They are putting in a SCADA system, a supervisory control and data acquisition system. It does remote

reporting of various meters and in some cases, things can be controlled remotely with it. The Water Dept. felt this would help them save money in the long run. they are also working on Phase I and II of the project to check where the wells are and where there could be artesian wells in Town as a backup water supply and also as a way to provide some additional routing and distribution backup too should happen with either the tank or input. Basically, when all is said and done, we're asking for \$30,000 to be dedicated to the SCADA project. They may be eligible for a grant on some of this to get the rest of the costs paid for. We also recommended we close out the existing water system Disinfection Changeable ETF and put it into a Groundwater Source Study ETF. At one point there was a concern as to whether we might have to change the way we disinfect our water, because too much chlorine can be a problem if you over chlorinate. With the improvements that have been made, it looks like they have been able to reduce the amount of chlorine and still maintain proper levels throughout the system. We have asked the Water Dept., Parks & Rec and some of the other Departments have already started this in terms of some of their modeling to get an idea of where we are as far as the capital needs given the fact we anticipate tight budgets for a number of years, but we perhaps have to ramp up a little bit because like with the trucks, you can't just not buy them for the next 10 years. We have a lot of stuff in project plans, \$14-15 million dollars worth of proposals and we'd like to kind of narrow that down a little bit and get a more realistic picture of where we're going and help the Selectmen in meeting our capital needs but being cognizant of very limited financial ability to spend. Waterfront Infrastructure – We funded the Waterfront Infrastructure at the same amount we did last year, \$35,000. I would like to thank all the people on the Committee, they have been very helpful. We have some really good people and they come up with some great ideas that work given the tight budget constraints. Committee Members: Bill Bayard, Chair; PLB; Lou Kahn, Vice Chairman; Miller Lovett, Miller Lovett, BOS; Peter Brothers, BOS, Alt. Rep; Lisa Merrill, I-L School Board Rep.; Jeanie Forrester; Jack McEwan; Justin VanEtten.

Lapham moved, Touhey seconded, THAT WE ADOPT THE 2011-2020 Capital Improvements Program (CIP) and forward to the Board of Selectmen for approval. Voted unanimously.

2. **NEW ENGLAND HERITAGE PROPERTIES** – (Carl Johnson Rep.) Proposed Major Subdivision of Tax Map U37, Lot 21, into 4 lots, (3.81 ac., 5.46 ac., 6.33 ac. and 12.05 ac.) located on Powers Road in the Shoreline District. Application accepted September 28, 2010.

Johnson – This property consists of 27 acres located on the northeast side of Powers Road with frontage on Lake Wnnipisaukee and road frontage on Powers Road. There is a wetland complex that runs down through the middle of the property. There are some wetland areas and a few drainage areas. The most prominent are located to the northwest drainage. Central to the property is a small drainage crossing an existing pathway and then there's a drainage structure that enters out onto the lake. There is an existing residence and boathouse, as well as

a garage. The driveway access comes off the southeast corner of the property. Several developers have looked at this property over the years. There is just under 600' of frontage on the lake. There is also a significant portion of land owned by the same organization to the southwest of Powers Road. The proposed option is a minimal approach creating 3 additional lots, 2 of the lots would have frontage on the lake and 1 would have no frontage on the lake and would be a back lot (Lot 1 on plan) and approximately 5 ½ acres big. We have worked with Mike Faller and developed an access plan that would create a single access off of Powers Road, it would be a common driveway for about 100 feet with the access going off to Lot 1 to the northwest and the continuing access to Lot 2 would be continuing to the north. In order to get to the 5 or 6 acres of upland to the north of that wetland complex would involve a crossing. The crossing would be at the narrowest portion of the wetland impacting about 1,327 sq. ft. of wetland in that location. We appeared before the Zoning Board of Adjustment at their last meeting and received approval for that crossing. Because there is a wetland issue that cuts off the access to the lake from Lot 2, we also have to apply to the Zoning Board and also to DES for a 6' wide walkway and would come off of where the house would be located on Lot 2 and cross about the narrowest portion of this marginal wetland area here to gain access to the lake. There will be no structures to the front of the property because of the setbacks to the wetland and would be located 200-300 feet away from the lake. The building envelope for Lot 3 would be a couple hundred feet back from the lake primarily due to the wetlands and wetland buffer. A 50' buffer is required from a non-designated wetland for development and a 75' buffer for construction of a septic system. Lot 4, the lot with the existing house on it, has no wetlands located on that lot and will remain essentially as it is. The development would consist of 3 additional building areas on the property, one of the areas would be located on Lot 4 significantly far away from the lake and would have access off of Powers Road. The second building area is not that defined on Lot 2 because there's a significant amount of upland there but assuming the house will be as close to the lake as they could and probably 250-300 feet away from the lake with a pathway going down to a proposed dock which will be separately permitted by the NH Wetlands Bureau. The buildable area on Lot 3 would also have a pathway going down to the lake and also a dock system on that parcel. The existing boathouse structure would be the docking facility for the existing house. The density requirements in the zone are basically one acre zoning. From a soil standpoint because we're only doing 4 lots, a high intensity soil survey is not necessary. We use the worst case scenario. A complete topographic analysis of the property has been and we plug in the worst soil for any particular slope class and calculate the number of lots that would be acceptable under that scenario. We only had to dig 4 test pits for 4 lots and they were all good. As part of the ZBA application, we submitted this project to the Conservation Commission for the Town of Meredith and they issued a report. The report essentially says the project complies with the general purpose and intent of the watershed protection overlay district and they did have some comments regarding loss of wetland habitat and impacts to buffers. On the plan, I highlighted the areas that are both direct wetland impacts and buffer impacts. I prepared a diagram which shows the effects of the wetland buffers and the wetlands themselves on the

property. There are about 15½ acres of wetlands and wetland buffers. State subdivision approval is required even though Lots 2 and 3 are in excess of 5 acres because it has frontage on the lake, it's subject to state subdivision approval. There is no other reasonable way to get to the buildable areas. The Conservation Commission has stated many times that it makes no sense to impact the associated uplands to avoid a small amount of wetland crossing. This impact crossing as well as the pathway crossing are subject to the State of NH Wetlands Bureau application which has been submitted and currently under review. There was concern regarding the small building envelope located on Lot 3 and Carl laid out a 10,000 sq. ft. example indicating what it could handle. Lot 4 would be exempt from the Shoreland Protection Act because it's much further away than the 250'. All of the lots are subject to the percentage of lot coverage and all but Lot 4 are subject to the Shoreland Protection Act. Perhaps the only thing that's going to be covered on Lot 2 would be the pathway down to the lake. One other comment that came up in the Conservation Commission review was whether or not the walkway that's servicing the lake from Lot 2 should be a raised wooden platform as opposed to a fill area and basically at the Zoning Board what we said was that we would make the application to the State with reference to the Conservation Commission's concern and agree that if the state wants it to be a raised walkway as opposed to a filled pathway, we would be willing to accept it because I do know of one instance where the state did not want it. If the state, Conservation Commission and the Zoning Board wants it, we would agree that would be a condition of approval. We are working with Mike Faller on the driveway entrances and this has been changed from a dual driveway to a common driveway. The location of the driveway on Lot 3 is going to be subject to quite a few trees being cut because its on the corner and the trees are right up against the road. Mike Faller does not like to have big trees up close to the road, it makes it difficult to get rid of the snow. The driveway location will be determined through the Driveway Permit process through the Department of Public Works. The driveway will be 12' wide with shoulders and a culvert with headers to make sure we didn't impede any flowage of the drainage that goes down through that area. The wetland delineation in the location of the footpath according to the wetland scientist was called marginal. That means it's an area that's bordering on whether it qualifies as a jurisdictional wetland or not. We delineated the extreme outside edge of what would be considered to be the jurisdictional wetland. The Fire Chief will review access to the lots for emergency vehicles. The crossing has been approved by the Zoning Board of Adjustment and we're going to the ZBA on the 10th of November for the associated buffers. As far as plan noting the access to the shoreline should be a raised walkway, I would like that to be flexible in terms of how the State of NH Wetlands Board acted on that and if they say that should be a raised walkway, then we would agree to put that note on the plan. The surveyor of record shall provide written evidence that the pins have been set. The approval will be valid for 24 months at which time the applicant would have to come back and ask for additional time. Angela is recommending a site walk due to the wetland concerns. I'm not sure that's necessary but I'll leave it up to the Board to decide. LaBrecque – The test pit data can be found on Page 27 of the packet. On Page 31 is correspondence from Mike Faller and he recommends having one driveway entrance rather than 2

side-by-side. The comments of the Conservation Commission start on Page 32 and there is also a ZBA Special Exception on Page 34. The decision is not very clear. What's being presented on the 10th are the buffers associated with the previously approved wetland crossing, a buffer impact associated with the driveway with no wetland impact, a pathway crossing of 435 sq. ft. with associated buffer impacts. There's a minimum lake frontage requirement of 150' and all 3 lots do meet it. With respect to the building envelope, I was thinking of calling LGC regarding the note on the marginal building envelope. When we discuss a marginal building envelope saying you're subdividing it and creating a marginal envelope so don't create it and then come for zoning relief. Vadney – Why is that necessary? The law requires that we not subdivide something that can't be built on. If they've identified a buildable area, that's fine, it's a legal lot. LaBrecque – I think why not go for a site walk and have a look at the wetlands. It's a large piece of land and its lakefront. Touhey – Did the Conservation Commission make any recommendation regarding that pathway? LaBrecque – The CC in their letter on Page 32 spoke to the importance of the wetlands and the fragmentation that happens when you have lot development and the importance of the vegetation and the canopy to maintain the integrity of the habitat and the functions and values of the wetlands and they definitely agreed that the wetland crossing for the driveway to access Lot 2 is located in the narrowest possible location to minimize the impacts and they also suggested it be a raised walkway to access the lake frontage. The CC did have some concerns about the wetlands and possible clearing when you have lot development for views and so forth so I thought we could go and see what their concerns were based on. Vadney – What would you say is there most serious concern? LaBrecque – All the things I just mentioned, impact to wetlands, fragmentation, etc. Johnson – I believe I discussed that in my analysis of exactly how much of the wetland we're actually impacting as well as how little of the buffer we're impacting. The wetland buffers in Meredith are fairly significant. Vadney – If this had come to us and the Conservation Commission hadn't been out there, I'd be the first one to say we need to do a site walk and call the Conservation Commission in, but it looks to me they've done a veritable thesis here on this project and I'm fairly certain I couldn't add anything to what they've done. LaBrecque – The CC looks at every one we do. Attorney Carolyn Baldwin, representing Clapp-Humphrey Trust, submitted a Memorandum for the record (copy attached). Where do the utilities get to these building envelopes? Poles are shown near the existing house but they are nowhere else. Given the amount of wetlands on this property and the real concern of the Conservation Commission about habitat interference and fragmentation, it seems to me there ought to be an indication of how these people are going to get their electricity. I realize water and sewer are on-site but I assume they are not all going to have solar panels on the roof so there is a potential for a bunch of light poles coming down Powers Road. It is a concern of how many trees can be cut and the Planning Board does not have a whole lot of authority of how many trees are cut back, however, it's a real concern that trees can be cut throughout this area except for the 50' buffer and even that I don't know how much cutting you generally allow in the buffer. It's important to keep those wetlands protected. With that, I would remind everybody and I'm sure you're all aware we had a drought this summer.

While I recognize that wetland science is not dependent on whether it's dry or wet, it's a soils and vegetation matter. Given the unusually dry summer, I would strongly suggest you take advantage of your authority and have an independent wetland scientist review the wetland on this parcel because there are a lot of them. They are key and generally connected here and throughout the lot. This is my item 4 – We found that the assessor's card says this lot has 450' of frontage. Somehow, they found 20% more very conveniently. I think it's an issue that ought to be examined quite carefully particularly in light of the fact that my clients had been approached to buy further frontage for development purposes in the fairly recent past so there's an assumption that there's 600' of frontage and 20% more is quite a lot. Another thing I noticed is the lot length and width and I'm not quite sure how you're not looking for bowling alley lots but the width of these lots seems to vary and be more than 4:1 which is what your regulations require. Particularly, the existing with the biggest house and a boathouse is the tiniest lot and it seems like it's more than the 4:1 as is the next one to it, Lot 3. An alternative would simply be to not worry about the shoreline frontage and give Lot 4 some more frontage and let Lot 3 disappear which has probably the most wetland of the 3 shorefront lots. There is a serious question on how did we get 20% more shore frontage. The major concern of my clients is access to the lake. Meredith is aware of funnel development and the issues and problems that it can cause. I understand it has been represented to you that there is no plan to provide access across the shorefront lots to the lake either for Lot 1 which has no access or any of the other land owned by this same owner. We recommend this representation be affirmed as a condition of any approval and noted on the plan. Your Subdivision Regulations do talk about tree cutting and protection of the buffers and I would urge that conditions be placed on the amount of tree cutting, particularly in those buffer areas to absolute minimize it and reduce the fragmentation. If you do a site walk, I assume that will be a public meeting duly noticed. We would like to be aware of that if you do. With regard to the first issue about the frontage, Mrs. Baldwin's absolutely right. She's not a surveyor, I am and that's my stamp on the plan. We actually did survey work for the Clapp family and we did survey work for Herb Oliver and there's actually a plan that's been on record for approximately 60 years by another surveyor that shows 600' of frontage on this parcel of land. Why the Town of Meredith tax map shows 450', I don't know. This is based on a closed travers exceeding the standards by the NH Board of Surveyors, this is a measured distance. There are two ways of measuring the shorefront, one is the linear and one is the direct course and distance. The state and town take an average so to say 150' it's an average of the linear vs. the straight line distance and I've done some calculations in here. You can see that the 216' direct course and distance is actually quite a bit shorter than the linear distance for Lot 1 because it's fairly curved. In terms of the 4:1 ratio, as I've explained to the Board several times, when you have lots that have varying widths, it's the average width vs. the average length of the lot and from a geometric standpoint, the way to determine that is to take the area of the lot and divide it by the average width and that gives you the average length because length X width is area and if that number is in excess of the 4:1, then you meet it. The 4:1 is a little bit difficult to envision when the lots are unusually configured but the standard is there to prevent what Mrs. Baldwin said the bowling alley type lots

where you'd have 100' on the shore and 800' long lot, that's clearly not what's happening on these particular lots and the 4:1 ratios could be confirmed with a letter to Angela if that would help. It would create a line where the existing power that comes into Lot 4 would all be on its own lot and not have any portion of it on another lot that would require an easement. In terms of the power to the lots, there is an existing set of power poles that come down in and there could be either above ground or below ground power to the building envelope on Lot 3. I would assume the person who's going to be building this driveway going down into Lot 2 would put underground power. The application made to DES includes the driveway and utility options if they decide to put the power underground. If not they would simply come off one of the service poles that's on the road and come down the driveway. Lot 4 would be a straight shot in from any one of the poles on the frontage. If it were me, I'd stick it underground but there's no requirement in the Town to do that. There's no intention to have any access to the lake. There's not enough area in the typical 150' front lots to allow that to happen. In terms of losing a lot, I don't think that's practical to do. We've demonstrated that the lots meet all of the requirements of the Subdivision Regulations. There is no cause or need for an independent verification of those wetlands. The impacts are so insignificant and so slight and they occur in only 2 places. To go through the process of re-delineating wetlands is an exercise in futility in my opinion. Nicol Roseberry, the wetland scientist, works for Ames Associates and has done dozens of wetland delineations for projects that have been before the Board and she's also now a certified soil scientist as well as a certified wetland scientist. Touhey – I think we need to address the cutting area of the wetlands. I think in the past when we are confronted with the amount of wetland we're confronted with in this subdivision, we have made some provisions for protecting that canopy. Attorney Baldwin – On the matter of access to the lake, Zoning Ordinances change, why not just put it on the plan? As to wetlands, I think the big concern is the building envelope area on Lot 3 closest to the lake. It's your call but you do have the authority to bring in somebody independent to take a look at those wetlands and given the amount on this lot and the access to the lake and its proximity, why not? Be safe, have it right. As far as the frontage is concerned, what can I say, 450' is what the assessor thinks and 20% is a lot and what does an old map mean, its certainly a question to be raised. The measure is clear; this is a traverse that was run with an electronic distance meter over the entire property. The distances shown on the plan are correct. Pins were found. We had identified some pins for the Clapps in the past and those are the pins that were identified at that time for that work, including the pin that's in the rock on the shorefront. In terms of the pin that's on the lake, this is the division line between Oliver Lodge and I was before the Board several times on that project and I feel pretty confident that's the pin there. Ginny Humphrey – My family has owned the property next to the Kattar property since 1945 and I want to clarify just a couple things. First of all, twice we've been approached because we were told they did not have enough room for 3 lots and they wanted a 3rd lot. Secondly, the foreclosure deed does give a metes and bounds description of the property and they talk about 514'. I ran the back title and I understand things change, I just have to say from our perspective, the combination of being approached on 2 different occasions to sell them another

50' to have enough room for 3 lots plus there is the description in the plans of record that the deeds refer to show 514' just makes us uncomfortable. If one of them wasn't 150.72' and it happens to be the one that is full of wetlands and its going to have a weird configuration, perhaps we wouldn't even bring this up. We want to make sure all the i's are dotted and the t's are crossed. The Conservation Commission talks about the impact to the wetlands and they also talk about the increased habitat fragmentation and I don't understand what the Planning Board can control or not. We are concerned about the impact to the lake, but we're also concerned about the fact that this has been this huge sloth of woods for the last 60 years plus and I hope the Board will carefully look at what the CC is saying because I don't think they're just concerned about the impact to the actual wetlands and the buffer. I think they are also concerned about the fact this is the main thoroughfare for habitat to go from Meredith Neck out to Pine Island. If there's a way to minimize tree cutting, that is what we would like to see. It seems to me that Mr. Johnson has repeatedly told there have been other ideas for this property. A part of me feels like a part of the argument is that this is the lesser of the evils of what can happen on this property. Vadney – If this proposal should get approved, that would preclude the cluster development unless somebody reassembled the lot and tried to do it so this is the process and it is controlled by a number of state and local laws and some Federal DES rules as well. LaBrecque – We're not saying no further subdivision. Lot 2 is 12.5 acres, I'm not saying never. Soils and slopes gave it 4.59 lots worst case soils and as Carl indicated, there is very good soils. Johnson - One of the reasons are configured the way they are is that although the property would lend itself towards a more intense cluster development because of the configuration of it and the wetlands, it doesn't lend itself to a more intense conventional subdivision of the property. Attorney Baldwin – We would not object to seeing a note on the plan for no further subdivision. Touhey – We certainly respect what Attorney Baldwin is speaking about and this Board certainly supports the recommendations of the Conservation Commission and we have only seen these tonight so we haven't studied them at great depth and I would certainly want to see the wetlands protected as much as possible and that means protect the canopy so I would ask the Board to consider a no-cut rule for the wetlands and the associated buffers. I think this is a large piece of property, there are significant wetlands throughout, the plan is presented very well, however, I personally would like to go out and visit the site so I would request the Board consider a site walk. Brothers – I'm still the new guy on the block but I certainly would follow what the general consensus is in terms of the on-site inspection vs. not. Lapham – I would prefer to take a site walk. Bayard – If we haven't walked this site already, I think it might make some sense to do a site walk. Johnson – I would like to address the cutting issue. If the Board is going to entertain at a future hearing any type of a cutting restriction that accounts for cutting within the wetlands and wetland buffer, I'd like to suggest that be outside of the jurisdiction of the Shoreland Protection Act because in order to create any type pathway, the buffer's there and you're going to be cutting within the buffers and within the wetland. For the crossing you're going to be cutting within the buffer and wetland so obviously those have to be exempt. In terms of the shorefront, to have a blanket restriction on cutting within the wetlands and wetlands buffer, its much more

restrictive than the Shoreline Protection Act because they have the point system I talked about that allows you to selectively cut trees and still maintain the integrity of the buffer. The property has been logged but there are areas that are heavily wooded. You have these enormous lots and the focal point is the shorefront so in front of that area I assume there will be limited amount of cutting because of the Shoreline Protection Act but then it sounds like there is some type of formula in terms of saving the trees throughout the rest of the site and as to do with cutting a certain percentage. Vadney – The rest of the lot doesn't justify cutting the front of the lot. Johnson – The buffer doesn't apply to the total, that's separate. That 50' strip is separate from the percentage. The only cutting restriction the Town has is there is no clear cutting allowed. There's no limit to the selective cutting of trees for the rest of the lot. The Shoreland Protection Act only covers from the reference line to 150' for cutting although it goes to 250' for impervious surface. LaBrecque – So there's no restriction in cutting between 150' & 250'? Between 150' & 50' you have to leave half of that natural, between 50' & the shoreline it's a point system and you have to selectively cut. The Board would recommend eliminating the cutting in the wetland which is the major portion of the corridor and the associated buffers so that would leave that entire corridor of wetland and associated buffers 100' back unavailable for cutting with the exception of going through with your driveway and utilities which is a gigantic restriction in terms of canopy. Attorney Baldwin – The purpose would be to preserve water quality. What we were talking about previously was related to habitat protection and less related to water protection. Bayard – I have some concerns putting these stipulations on. I notice people get creative before they come in and cut everything down and then they come in and say they won't cut anything that's left. I certainly think the wetland should be protected, how far we go with the buffer, whether we use the 50' or 75', I'm perfectly comfortable with a 50' buffer. In this instance, I think it would make sense to keep the trees, but I hope we're not causing some harm down the road in doing this. The public is welcome to join us for the site walk, however, we do not discuss and take public comments, its just a chance for us to see the property. Public Hearing closed at 8:50 p.m.

Lapham moved, Bayard seconded, MR. CHAIRMAN, I MOVE WE SCHEDULE A SITE WALK FOR NOVEMBER 13, 2010, AT 9:00 A.M. AND CONTINUE THIS HEARING TO NOVEMBER 23, 2010. Voted unanimously.

2. **ELLY SHARPS FOR WILLIAM L. FULLER** – (Dave Dolan, Rep.)Proposed Home Occupation for a Beauty Parlor in Unit #2 of a residential duplex, Tax Map U06, Lot 100, located at 16 Lake Street in the Central Business District.

Dave Dolan – This is an application for a Home Occupation in property owned by William Fuller and located at 16 Lake Street, Tax Map U06, Lot 100, shown on the plan on the board highlighted in yellow. The property is in the Central Business District; its about 7,600 sq. ft. in area, has an existing 3-story duplex building on it with a garage out back. The proposal is for a beauty salon in Unit 2 to be known as "Look Sharp" which is the left hand unit of the property as you're looking at the plan

or the one that's uphill as you look at the property closer to Main Street; Main Street is about 150' of the property as you look at it on the plan. Ms. Sharps will be the only employee and resides in Unit 2. The area to be used in conjunction with the operation of the business is 310 sq. ft. which is outlined on the plan and represents 17% of the total floor area of that unit which is just over 18,000 sq. ft. so we meet the zoning requirement and we're allowed to use up to 25% of the gross floor area of that unit. The hours of operation will be 4 days/week (Tues. & Thurs. 9:00 a.m to 8:00 p.m. and Weds. & Friday 9:00a.m.- 5:00 p.m.). Those will be hours by appointment only. Entrance to the beauty parlor will over the porch on the front side of the building off of Lake Street. There will be a sign (copy submitted) not to exceed 6 sq. ft. in size located near the entrance. The units are both 2-bedroom units so the parking requirements are 1 ½ spaces per unit for the property and we've shown there are 3 parking spaces on paved parking area that exist with 2 additional spaces available in the garage so we exceed the parking requirements for the property. There is parking also available on the northerly side of Lake Street and because the business won't be operating on the weekends, they won't be using that space on the street during the busy time on the weekends during the summer so parking should not be an issue. Lapham – Does Ms. Sharp own the unit? Dolan – She resides in Unit 2 and the business will take place in Unit 2; the property is owned by William Fuller. The ordinance requires that the operator of the home occupation reside in that building. Lapham – Can a rental unit become a home occupation? LaBrecque - We don't dictate ownership; we just dictate use. Lapham - I was under the impression it had to be in your owner-occupied home. Vadney – The only place I know we have owner-occupied I know of is the accessory apartment, at least one of the units. Lapham – Does the home occupation go away if Ms. Sharps moves out of this unit, then the home occupation goes away. Yes, If another beauty parlor occupying 310 sq. ft. and also had only one employee, this approval is specific to what is being presented this evening on the site plan. It's only transferable if it would have all the exact same circumstances. If someone were to transfer it and change the circumstances being presented tonight, I would say that's a new application. It would be a new application for a new home occupation if any of the circumstances were to change including the operator. Dolan – Angela did recommend the Board reserve the right to review and amend any approval. Public Hearing closed at 8:58 p.m.

Bayard moved, Touhey seconded, MR. CHAIRMAN, I MOVE WE CONDITIONALLY APPROVE THE PROPOSED HOME OCCUPATION FOR A BEAUTY PARLOR IN UNIT 2 OF A RESIDENTIAL DUPLEX, TAX MAP U06, LOT 100, LOCATED AT 16 LAKE STREET, IN THE CENTRAL BUSINESS DISTRICT WITH THE FOLLOWING CONDITION:

(1) THE PLANNING BOARD RESERVES THE RIGHT TO REVIEW AND AMEND ANY APPROVAL SUBJECT SITE PLAN REGULATION NOS. 7 AND 17. Voted unanimously. Voted 5-0 in favor of the motion.

3. **TLF HOLDINGS, LLC** - (Rep. Dave Dobbins & Sonya Misiasek) Continuation of a public hearing held on 9/28/10 for a proposed Site Plan Amendment to replace an existing 1,625 sq. ft. structure with a 6,146 sq. ft., 3-story structure, Tax Map U07, Lot 135, located at 62 Main Street in the Central Business District. Application accepted 9/28/10.

Sonya Misiasek – We want to review how we’ve gotten to this point because we feel we did not do that in a concise and accurate manner at our last meeting so back in August of 2009 we came to the Planning Board with a scheme that that reflected the images of the existing and you can see in these pictures, we’ve shown you some images of what the existing building looks like. Part of our project was to increase the size of this building so it could be a viable option for the owner. In order to do so, we introduced a second floor, a front porch and brought the building closer to Main Street to increase the public pedestrian circulation and improve safety on the Main and Dover Street areas. The project consisted of 3,816 sq. ft. of business and/or professional office space and the building would house 1-4 different tenants. There were 4 parking spaces proposed on the site and in that proposal, the Board waived 15 spaces. The project was sensitive and complimentary towards the architectural heritage of Meredith and the community and was approved by the Planning Board. What then happened was we did some structural analysis looking at the Penstock, looking at the soils on the site, started working with a building contractor and found out when costs started coming in, it was not a viable option based on the square footage that was there. We were having to put too much money into the foundation so what we’ve tried to do with our new proposal was come up with a plan that allowed the building to straddle the Penstock a little bit more rather than having point loads, maintain the view down Dover Street, that there be green space on the site, that it be safe for pedestrians, that we actually encourage pedestrians to walk along the back side or what we consider the courtyard side of the project which is the Mill Falls Parking Lot side. There is a sidewalk there but it ends just to the side of Emery & Garrett and does not continue along so what our proposal does is continue that walkway down so there is that inner connection of pedestrians that can safely get out of a car, walk to the sidewalk and then meander just like they do on Main Street but in a courtyard atmosphere so the main differences in the amended plan were building size and footprint. The walkways, parking and landscape all pretty much remain the same, we still have the 4 spaces, the front porch which we feel is an important aspect of the project to encourage people that may be shopping here to come and sit on the porch and enjoy. We also feel it relates well to the park across the way because that is green space also so we’re trying to maintain that connectivity even though it is across Main Street. Our current proposal has a building square footage of 6,146 sq. ft. The site is unique in that we have two streets in that courtyard so to us its really about entries on 3 sides. We have entry on the courtyard side which is at the back on the Dover Street side and on the Main Street side through the porch so it’s really about connectivity of circulation and pedestrians that might be walking in the community and accessing into this building. We’ve maintained the same parking spaces; there are 3 on the Dover Street side and one on the Main Street side. Dave is going to

talk a little bit about the use of the building in terms of the types of tenants that may be going in here. Dobbins – As you are very well aware, we had quite a bit of discussion on what types of tenants and uses the building would have and you should see in your packet and the staff report some of the commentaries I came up with regarding tenant types. Essentially, we've got 3 leasable floors on a 2 1/2 story structure, the 3rd floor being under the roofline of the building itself. The proposed uses are a mix of retail and professional office space. Retail could be located on floors 1, 2 and 3, however, professional office space will only be located on floors 2 and 3, limiting the 1st floor to a retail use only. There are a number of different types of retail use that could go in there and you probably saw some them listed on the staff report provided to you. Such as types would be things like folks selling antiques, apparel, books, candies, crafts, electronics, maybe green products, home goods, jewelry, novelties, toys and perhaps it could even be an old style general store which is my favorite, which would have a very broad mix of retail offerings in it, allocated to the 1st floor. Those are the typical types of retail that could be on the 1st floor area and I think those are very typical things that someone walking thru the downtown may find attractive to wander into and do some shopping. There could also be types of personal care services, beauty care, counseling, some type of therapy but the point about these types of retail, the intention is for folks who stop in at the building at limited durations of time. People anywhere in the area would go into any one of those types of shops in the building and not stay for a long period of time. The other is to limit the density or the impact on parking would be to not encourage and I will make the commitment that I would not be soliciting tenants that as part of their business offerings require large groups of people to meet at scheduled or assigned times. That would obviously place a very heavy parking demand at that site. In terms of potential office space, I see offices such as a law firm, CPA firm, accounting services, financial services, business consultants, software developers, perhaps architectural firms, surveyors and professional disciplines of that nature. Those don't have heavy volumes of traffic and are the types of uses I would be looking to attract as tenants into this particular space. It is a very big consideration having to increase the square footage, do so in a manner that leaves this beautiful open area on the corner of Dover and Main leaves that whole open swath intact. The new footprint is no more intrusive on that green space than what we had obtained approval for last fall. We were very careful not to intrude upon that. The only way to achieve that is to go up and that is why we have introduced the elevator which is being installed to provide accessibility to those floors for folks who can't handle the stairway and for the owner of the building, it makes that building more leasable to a broader variety of tenants. Dave & Sonya provided photos showing the streetscape for Main Street. The new footprint keeps the corner facing Main Street and Dover Street more open than on the previous approval. This design provided a lot of the characteristics we were striving for, green space, very pedestrian friendly and keeping that lovely area open with the Community Park right across the street and we were able to minimize the foundation structural costs because of the way it crosses over that Penstock. Previously, we had points of the building sitting on the Penstock, and on the new one we've got a cross of a lineal straight wall in two locations and that's it. Sonya – The maximum lot

coverage in the CB district is 65% and the lot coverage proposed for this project is 62.9%. It does include some pavers that will provide some infiltration but those are not figured into that calculation so we may be a little less than that. The site is served by municipal sewer and water, electricity, cable and telephone services are on the site. The points of access remain the same as on the site currently. The circulation on the back side brings you all the way out to Dover Street and we've encouraged people to meet at this corner so they can access around the building or continue up to the property and onto the porch. We've worked with the grades on the site to really try and provide accessibility for someone who may be in a wheelchair or using a cane so they can maneuver easily around the site and hopefully to the rest of Main Street. The amount of storm water runoff post development will not exceed that of the existing conditions and we provided calculations from our civil engineer last time and those should be in your packet. I'd like to talk about the off-street and handicapped parking. Many of the Main Street businesses have little or no parking currently on-site, we do understand that this is a new development and a new building so we feel we need to provide some parking spaces. The site currently has a few spaces that are not defined and in 2009 the approval granted a 15-space waiver. Last month we realized we had determined the parking calculations on the entire square footage of the first, second and third floor. We feel its more appropriate to determine those parking calculations based upon rentable space so we have taken out things like the exterior wall, stair tower on the side and the elevator and that brings our actual parking calculations down to 23 spaces so 23 minus the 4 on-site, we're really looking for a parking waiver of 19 spaces if you agree with our interpolation that it is based on leasable space and not the entire footprint of the building. We have also determined that on 1space/200 sq. ft. knowing that some of this retail area on the first floor will probably be storage of some sort and the storage would be 1 space/600 sq. ft. but we don't know at this point how much of that would be considered for storage and will depend on the type of tenant that goes in. The owner is suggesting that the employees of the various tenant spaces park in the municipal lot and is willing to assign spaces on the site for the building patrons. The landscape plan is pretty much similar to what we had before. We can take into account your concerns about the tower and trying to do some landscape buffering on the side to minimize the visual impact of the tower. Snow storage is shown on the plans and this will be maintained by the owner who is incorporating a management plan for the site itself. That would include continuous maintenance of the exterior of the building, maintenance of the exterior landscaping which would include maintain walkways in the summer and winter. Part of that also includes trash removal. The management plan will also include removing trash from this building every day. No dumpster is required outside at all. The fuel source that is planned to date is oil with the tank located in the basement. There will be no visible tanks on the property. The setbacks for the district are shown on the plans so there is buildable area that we have not built in trying to maintain that open view in connecting to Dover Street and vice-versa from Dover Street up to Main Street. Setbacks for the existing building are actually partially located in the side setback and this building will be doing a similar thing by locating the stair tower and elevator tower partially in the setback area but its actually less impact because of its visual

distance. We are impacting into the front setback similar to how we were before, 22'2" is what our setback is. The Town requires a 30' setback. Our previous approval reduced that front setback to 19' so we're a little bit better in terms of pulling that back a little bit. There is a little bit of the habitable space and heated space that is encroaching into it but most of it is for the visual character of the front porch which we feel is a positive thing to enhance this site, both from a visual standpoint and also from a functional standpoint of people being able to sit there, enjoy the day in Meredith, sit underneath the shade of the front porch and feel like they are enjoying the day instead of baking in the sun. With the aid of photographs showing both sides of Main Street, Sonya and Dave put together a walking tour for the Board of the downtown area showing the different buildings and heights of existing buildings. The height of the proposed building is 33' high. The stair tower is at the back and is 43' which is 3' higher than the back mass of the building. Looking at what we were presented with last month, I had to spend sometime in the downtown and became more acquainted with Main Street. I am still a little concerned about the mass and the view coming up Dover Street. I do feel we have to determine if this fits our architectural regulations and from what I've seen, I think it does. Lapham – It looks like a mill town house. In that the usage is going to be intensified I think its real important as good neighbors that you work in consortium with the other commercial enterprises and figure out where are my employees going to park and how am I going to monitor and control that because no matter what we say there is limited parking on Main Street and if we're going to make Main Street grow I'm not convinced its strictly the Town's responsibility to provide parking. I think if we have some vision and some thought going forward and as we rehab and reutilize some of the buildings more effectively in the downtown, parking has got to be a piece of it. The its got to be a cooperative type of endeavor. We've tried to be as lenient as we can on Main Street and we don't want to control all the parking,

Peter moved, Bayard seconded, MR. CHAIRMAN, I MOVE WE CONDITIONALLY APPROVE THE SITE PLAN AMENDMENT FOR TLF HOLDINGS, LLC, TAX MAP U07, LOT 135, LOCATED AT 62 MAIN STREET IN THE CENTRAL BUSINESS DISTRICT, SUBJECT TO THE FOLLOWING:

(1) THE FINAL SITE PLAN SHALL HAVE A NOTE INDICATING THAT THE FIRST FLOOR IS PERMITTED FOR RETAIL ONLY AND THE SECOND AND THIRD FLOORS SHALL BE OCCUPIED BY RETAIL, OFFICE OR PERSONAL SERVICE USES THAT HAVE A LOW IMPACT WITH RESPECT TO PARKING.

(2) ANY POTENTIAL TENANT THE CODE ENFORCEMENT OFFICER FINDS OUTSIDE OF THE RANGE PERMITTED BY THIS APPROVAL WILL BE REQUIRED TO APPEAR IN FRONT OF THE PLANNING BOARD FOR A PUBLIC HEARING.

(3) THE BUSINESS TENANTS AND EMPLOYEES SHALL USE THE NEARBY MUNICIPAL PARKING LOTS, THEREBY LEAVING MAIN STREET AND THE ON-SITE PARKING AVAILABLE TO PATRONS.

(4) A PARKING WAIVER IS GRANTED FOR 19 SPACES.

(5) THE PARKING SUMMARY SHALL BE REVISED TO REFLECT THE REVISED PARKING CALCULATIONS AND WAIVER.

(6) THE PLANNING BOARD SHALL RESERVE THE RIGHT TO REVIEW AND AMEND ANY APPROVAL AS PROVIDED FOR IN SITE PLAN REVIEW REGULATION NOS. 7 & 17.

Voted 5-0 in favor of the motion.

4. **TLF HOLDINGS, LLC** – Continuation of a public hearing held on 9/28/10 for Architectural Design Review of a proposed commercial structure, Tax Map U07, Lot 135, located at 62 Main Street in the Central Business District. Application accepted 9/28/10.

Touhey moved, Bayard seconded, THE PLANNING BOARD FINDS THAT THE PROPOSED DESIGN DEMONSTRATES SUBSTANTIAL CONFORMITY WITH THE GENERAL AND SPECIFIC BUILDING CRITERIA SET FORTH IN THE ORDINANCE AND THE REDUCTION IN THE BUILDING SETBACK IS REQUIRED TO FULFILL THE PURPOSE AND INTENT OF THE ORDINANCE AND SATISFIES ONE OR MORE OF THE ELEMENTS OF THE BUILDING PERFORMANCE CRITERIA AND THE REDUCTION IN THE BUILDING SETBACK WILL NOT BE DETRIMENTAL TO PUBLIC HEALTH, SAFETY OR WELFARE. Voted unanimously.

Respectfully submitted,

Mary Lee Harvey
Adm. Assistant, Community Dev.

The above minutes will be reviewed and approved at a regular meeting of the Planning Board on _____.

A. William Bayard, Secretary